

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE NOCO COMPANY, INC.,)	Case No.: 1:20 CV 1169
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
GUANGZHOU UNIQUE ELECTRONICS)	
CO., LTD., <i>et al.</i> ,)	
)	<u>ORDER</u>
Defendants)	

On November 3, 2021, the U.S. Patent Trial and Appeal Board (“PTAB”) issued a decision finding claims 1-10 and 12-23 of NOCO’s ‘015 patent to be unpatentable. On November 12, 2021 the parties requested that the stay in this matter be extended through and until a final decision on NOCO’s prospective appeal of the *Inter Partes* Review of U.S. Patent No. 9,007,015, and advised that NOCO disputed the Board’s findings and was evaluating its options regarding an appeal to the United States Court of Appeals for the Federal Circuit. (ECF No. 19).

The court held a Telephonic Status Conference on August 9, 2022. At the conference, the parties indicated that Plaintiff has filed a Notice of Appeal of the PTAB decision. The parties were instructed to confer and explore the possibility of a dismissal without prejudice and to submit a recommendation to the court on the matter by August 16, 2022. The parties filed a Joint Status Report and Recommendations on that date. Plaintiff presented reasons why it felt it would not be

in its best interest to stipulate to a dismissal without prejudice. However, it had no disagreement with the administrative closing of the case as has been done in similar cases by other judges on the court. Defendants had no objection to a dismissal without prejudice and offered a compromise which it felt would make a stipulation of dismissal more palatable to the Plaintiff.

After considering the matter and the positions of the parties, the court hereby orders that this case shall be administratively closed, subject to reopening upon timely motion once the Federal Circuit has issued its decision. The parties shall file a Status Report within 10 days of the Federal Circuit decision.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

August 17, 2022